

04 NCAC 24C .0214 is proposed for adoption as follows:

**04 NCAC 24C .0214 WITHDRAWAL OF APPEAL**

(a) An appealing party may withdraw its appeal with the approval of the Appeals Referee.

(b) An appealing party's request to withdraw its appeal shall be in writing and contain the reason for the request to withdraw the appeal, the date of the request, the docket or issue identification number of the determination being appealed, the claimant's identification number, the names of the claimant and employer, the name of the individual making the request to withdraw the appeal, the official position of an individual filing the request to withdraw the appeal on behalf of the party, and a telephone number, and shall be directed to DES's Appeals Section or to the Appeals Referee designated to hear the case, or recorded by the Appeals Referee using the digital recording system used to record hearings in accordance with G.S. 96-15(c).

(c) Following receipt of a request to withdraw the appeal, the Appeals Referee shall review each reason for the request.

(d) If a request to withdraw the appeal is approved, the Appeals Referee shall issue an order granting the request to withdraw the appeal. The order shall contain no right to appeal the withdrawal of the appeal.

(e) If a request to withdraw the appeal is denied, the Appeals Referee shall issue an order denying the request to withdraw the appeal, informing the party of the information considered and the reason for the ruling. The order shall contain no right to appeal the denial of the withdrawal of the appeal.

(f) A copy of the party's request to withdraw the appeal and the Appeal Referee's order granting or denying the request shall be included in the official record of the case.

*History Note: Authority G.S. 96-4; 96-15;*

*Eff. July 1, 2018.*